

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH P. FRANKENBERRY,

Plaintiff,

v.

FEDERAL BUREAU OF INVESTIGATION

and U.S. DEPARTMENT OF JUSTICE,

Defendants.

CIVIL ACTION NO. 3:CV-08-1565

(JUDGE CAPUTO)

(MAGISTRATE JUDGE MANNION)

**ORDER**

**NOW**, this 9<sup>th</sup> day of January, 2013, **IT IS HEREBY ORDERED** that:

- (1) The Magistrate Judge's Report and Recommendation (Doc. 100) is **ADOPTED in part and REJECTED in part**.
  - (a) The recommendations that Defendants provided proper disclosures with respect to documents asserting the (b)(7)(E)-2 exemption, that the information withheld pursuant to the (b)(2)-1 and (b)(2)-3 exemptions was properly withheld pursuant to the alternatively asserted (b)(7)(E)-1 and (b)(7)(E)-3 exemptions, and that Defendants provided sufficient information to assert the (b)(7)(D)-1 exemption are **ADOPTED**.
  - (b) The recommendation that Defendants be required to make supplemental disclosures with respect to the information withheld pursuant to the asserted (b)(7)(C) exemptions is **REJECTED**.
  - (c) Defendants' Motion for Summary Judgment (Doc. 29) is **GRANTED**.
- (2) Plaintiff's Renewed Motion for Order Compelling Answers to Interrogatories (Doc. 72) is **DENIED as moot**.
- (3) The Clerk of Court is directed to **ENTER** judgment in favor of Defendants Federal Bureau of Investigation and U.S. Department of Justice and against Plaintiff Joseph P. Frankenberg.
- (4) The Clerk of Court is directed to mark the case as **CLOSED**.

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/s/ A. Richard Caputo  
A. Richard Caputo  
United States District Judge